

10-09-01

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Practitioner's Docket No. D-1077+14 DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

11046 U.S. PTO  
09/972400  
10/05/01

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Mark S. Covert; Jay Paul Drummond; Dale Blackson; Bob A. Cichon; Joseph C. Ess;  
Mark A. Moales; David W. Weis; Mark D. Smith; James Church

For (title): AUTOMATED BANKING MACHINE APPARATUS AND SYSTEM

1. Type of Application

This transmittal is for a divisional application.

2. Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
Washington, D.C. 20231.  
37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10\*

[ ] with sufficient postage as first class mail.

[X] as "Express Mail Post Office to Address"  
Mailing Label No. EL918748147US  
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TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

Date: OCTOBER 5, 2001

Signature

Ralph E. Jocke

(type or print name of person certifying)

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Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal--page 1 of 5)

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

78 Pages of Specification

5 Pages of Claims

31 Sheets of Drawing(s)--Informal

B. Other Papers Enclosed

13 Pages of copy of declaration and power of attorney

1 Page of abstract

11 Pages of Application Data Sheet

37 Pages, Request to Amend Drawings with 4 marked-up drawings and 31 sheets of formal drawings

**4. Additional Papers Enclosed**

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. 1.98)

Form PTO-1449 (PTO/SB/08A and 08B)

**5. Declaration or Oath**

Enclosed

Executed by:  
\* inventors.

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Assignment**

An assignment of the invention to Diebold, Incorporated will follow.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	14	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$280.00	\$0.00

Filing Fee Calculation \$740.00

10. **Fee Payment Being Made at This Time**

Enclosed  
Filing Fee \$740.00

**Total Fees Enclosed** \$740.00

11. **Method of Payment of Fees**

Charge Account No. 09-0428 in the amount of \$740.00.  
A duplicate of this transmittal is attached.

12. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

**13. Instructions as to Overpayment**

Credit Account No. 09-0428.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATIONS CLAIMED**

**14. Relate Back—35 U.S.C. § 120, 121 and 365(c)**

“This application is a divisional of copending application(s):

Application Number 09/193,634 filed on November 17, 1998 which is a continuation-in-part of International Application PCT/US97/21422 filed on November 25, 1997 and which designated the U.S. (now 09/077,337).

The nonprovisional applications designated above, namely application 09/193,634 filed November 17, 1998 and PCT/US97/21422 (now 09/077,337) claims the benefit of U.S. Provisional Application(s) No(s).:

**APPLICATION NO.**

**FILING DATE**

60/031,956

November 27, 1996

60/091,887

July 7, 1998

60/095,626

August 7, 1998

60/098,907

September 2, 1998

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

